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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 SECURITIES AND EXCHANGE  
11 COMMISSION,

12 Plaintiff,

13 v.

14 ANDY SHIN FONG CHEN, et al.,

15 Defendants.

CASE NO. C17-0405JLR

ORDER REGARDING FIRST FEE  
APPLICATION

16 Before the court is the first quarterly application for compensation and  
17 reimbursement of expenses of: (1) Receiver Geoffrey B. Winkler (“the Receiver”) in the  
18 amounts of \$6,293.50 in fees and \$0.00 in costs; and (2) the Receiver’s counsel, Tara J.  
19 Schleicher and Foster Garvey P.C. (collectively, “Foster Garvey”), in the amounts of  
20 \$5,591.15 in fees and \$12.74 in costs. (1st Fee App. (Dkt # 138); 1st Fee Notice (Dkt.  
21 # 139).) The Receiver and Foster Garvey seek an order authorizing disbursement of  
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100% of the total requested fees and costs. (*See id.*) No party has filed an opposition to any of the foregoing fee applications. (*See generally* Dkt.)

The court finds that the fees and costs represented in the instant fee application are reasonable and necessary, notice of the fee application was appropriate, and the services provided were of substantial benefit to the estate. The fee application, however, is not in accord with the court's order appointing a receiver insofar as it seeks an order authorizing disbursement of 100% of the total requested fees and costs. (*Compare* Order Appt. Receiver (Dkt. # 130) ¶ 59, *with* 1st Fee App. at 2.) Pursuant to the court's order appointing a receiver,

Quarterly Fee Applications will be subject to a holdback in the amount of 20% of the amount of fees and expenses for each application filed with the [c]ourt. The total amounts held back during the course of the receivership will be paid out at the discretion of the [c]ourt as part of the final fee application submitted at the close of the receivership.

(*See* Order Appt. Receiver ¶ 59.)

Accordingly, the court GRANTS IN PART the fee application listed above and APPROVES on an interim basis the following application amounts:

<b>Applicant:</b>	<b>Period:</b>	<b>Fees:</b>	<b>Costs:</b>	<b>Total:</b>
Foster Garvey	November 1, 2021, through December 31, 2021	\$5,591.15	\$12.74	\$5,603.89
The Receiver	November 23, 2021, through December 31, 2021	\$6,293.50	\$0.00	\$6,293.50

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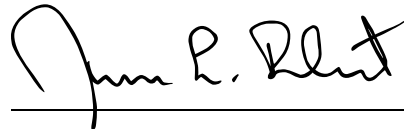
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1 The court further ORDERS that the Receiver is authorized to disburse 80% of the  
2 foregoing approved fees and costs at this time to the foregoing respective applicants, as  
3 described below:

4 (1) The court AUTHORIZES the Receiver to disburse \$4,483.11 to Foster  
5 Garvey.

6 (2) The court AUTHORIZES the Receiver to disburse \$5,034.80 to the Receiver.

7 Dated this 18th day of February, 2022.

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10 JAMES L. ROBART  
United States District Judge  
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